# No. 10

# MICHIGAN HOUSE OF REPRESENTATIVES

# DAILY CALENDAR

THURSDAY, FEBRUARY 7, 2002 12:00 Noon

#### MOTIONS AND RESOLUTIONS

# **HB** 5250 Rep. Quarles

Legislature; apportionment; redistricting of congressional districts; provide for.

<del>\_\_\_ 1 \_\_\_\_</del>

Creates new act & repeals 1964 PA 282 (MCL 3.51 - 3.55).

(Notice of intent to discharge the Committee on Redistricting and Elections given by Rep. Quarles October 23, 2001.)

(Motion to discharge; record roll call ordered; passed for day October 24. 2001.)

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# **HB 5251** Rep. Quarles

Legislature; apportionment; redistricting of congressional districts; provide for.

Creates new act & repeals 1964 PA 282 (MCL 3.51 - 3.55).

(Notice of intent to discharge the Committee on Redistricting and Elections given by Rep. Quarles October 23, 2001.)

(Motion to discharge; record roll call ordered; passed for day October 24, 2001.)

# REPORTS OF STANDING COMMITTEES

#### 3

# **HR 193** Rep. Cassis

A resolution to honor the 94th combat Infantry Division of World War II by renaming the portion of Highway 94 from exit 92 in the Battle Creek area continuing east to M-66.

(Reported by Committee on Transportation.)

(For text of resolution, see House Journal No. 64 of 2001, page 1952 or e-Blue Book; laid over 1 day October 31, 2001.)

(For text of proposed substitute (H-1), see House Journal No. 78 of 2001, page 2281 or e-Blue Book.)

# HCR 49 Rep. Bradstreet

A concurrent resolution to urge the United States Environmental Protection Agency to reevaluate and adjust Michigan's cap on nitrogen oxide emissions.

(Reported by Committee on Energy and Technology.) (For text of resolution, see House Journal No. 80 of 2001, page 2392 or e-Blue Book; laid over 1 day December 6, 2001.)

(For text of proposed substitute (H-2), see House Journal No. 85 of 2001, page 2603 or e-Blue Book.)

#### REPORTS OF STANDING COMMITTEES

# \_\_\_\_ 5 \_\_\_\_

# HCR 36 Rep. Pappageorge

A concurrent resolution to memorialize the President and the Congress of the United States to work to implement United Nations resolutions to bring peace and security to Cyprus.

(Reported by Committee on House Oversight and Operations.)

(For text of resolution, see House Journal No. 62 of 2001, page 1922 or e-Blue Book; laid over 1 day February 6.)

#### MESSAGES FROM THE SENATE

#### 6

# **HB** 4647 Rep. Ehardt

Occupations; individual licensing and regulation; respiratory therapists; provide for registration and title protection.

Amends secs. 16186 & 16263 of 1978 PA 368 (MCL 333.16186 & 333.16263) & adds sec. 16338 & pt. 186.

(Returned from Senate with substitute (S-3) and immediate effect; laid over 1 day December 13, 2001.)

(I.E. House July 11, 2001.)

(For House substitute (H-3), see e-Blue Book.)

(For Senate substitute (S-3), see e-Blue Book.)

#### 7

#### **HB 5026** Rep. Vear

Weapons; firearms; transportation requirements for certain firearms; clarify.

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day January 30.)

(I.E. House October 31, 2001.)

(For House substitute (H-2), see e-Blue Book.)

(For Senate substitute (S-1), see e-Blue Book.)

### THIRD READING

# HB 4193 Rep. Ehardt

Vehicles; license plates; motor vehicle plate fee for certain veterans; reduce.

Amends sec. 803e of 1949 PA 300 (MCL 257.803e).

(Reported by Committee on Transportation.)

(For House amendment, see House Journal No. 20 of 2001, page 231 or e-Blue Book.)

#### THIRD READING

\_\_\_\_ 9 \_\_\_\_

#### **HB** 4454 Rep. Patterson

Taxation; other; airport parking tax act; repeal.

Repeals 1987 PA 248 (MCL 207.371 - 207.383).

(Reported by Committee on Tax Policy.)

(Defeated; motion to reconsider; passed for day October 11, 2001.)

(For House substitute (H-3), see e-Blue Book.)

— 10 ———

### HB 5270 Rep. Caul

Criminal procedure; search and seizure; search warrant affidavits; revise procedures.

Amends secs. 4 & 5 of 1966 PA 189 (MCL 780.654 & 780.655).

(Reported by Committee on Criminal Justice.)

(Read a third time; passed for day November 1, 2001.)

(For House amendment, see House Journal No. 77 of 2001, page 2248 or e-Blue Book.)

# **HB 5283** Rep. Hale

Criminal procedure; evidence; prior acts of domestic violence; allow to be admissible as evidence.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 27b to ch. VIII.

(Reported by Committee on Criminal Justice.)

(Read a third time; passed for day November 1, 2001.)

(For House substitute (H-2), see e-Blue Book.)

— 12 ——

# **HB** 4870 Rep. Thomas

Housing; condominium; cities with population over 1,000,000; revise to 750,000.

Amends sec. 141 of 1978 PA 59 (MCL 559.241).

(Reported by Committee on Local Government and Urban Policy.)

(Defeated; vote reconsidered; passed for day December 6, 2001.)

\_\_\_\_ 13 \_\_\_\_\_

# **HB** 4165 Rep. Stamas

Income tax; exemptions; additional personal exemption for certain stillbirths; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30).

(Reported by Committee on Tax Policy.)

# HB 4410 Rep. Pumford

Natural resources; other; deed restrictions on certain property owned by the school districts; revise.

Amends sec. 52706 of 1994 PA 451 (MCL 324.52706).

(Reported by Committee on Education.)

(For House substitute (H-1), see e-Blue Book.)

#### SB 437 Sen. Bullard

Sales tax; exemptions; aircraft weighing over 6,000 pounds carrying cargo, passengers, or a combination of cargo and passengers; exempt sale or sale for lease.

Amends sec. 4x of 1933 PA 167 (MCL 205.54x).

(Reported by Committee on Tax Policy.)

(For House substitute (H-2), see e-Blue Book.)

(For Senate substitute (S-1), see e-Blue Book.)

#### THIRD READING

— 16 ———

#### SB 576 Sen. Bullard

Use tax; exemptions; aircraft weighing over 6,000 pounds carrying cargo, passengers, or a combination of cargo and passengers; exempt from sale or sale for lease.

Amends sec. 4 of 1937 PA 94 (MCL 205.94).

(Reported by Committee on Tax Policy.)

(For Senate substitute (S-1), see e-Blue Book.)

# HB 5420 Rep. Zelenko

Local government; bonds; bonding authority of community colleges; modify.

Amends sec. 122 of 1966 PA 331 (MCL 389.122).

(Reported by Committee on Commerce.)

(For House substitute (H-1), see e-Blue Book.)

\_\_\_\_ 18 \_\_\_\_\_

# HB 5421 Rep. Kuipers

Local government; bonds; bonding authority of community colleges; modify.

Amends sec. 126 of 1966 PA 331 (MCL 389.126).

(Reported by Committee on Commerce.)

(For House substitute (H-1), see e-Blue Book.)

\_\_\_\_ 19 \_\_\_\_\_

# HB 5422 Rep. Meyer

Local government; bonds; bonding authority of community colleges; modify.

Amends sec. 127 of 1966 PA 331 (MCL 389.127).

(Reported by Committee on Commerce.)

\_\_\_\_\_ 20 \_\_\_\_\_

# HB 5423 Rep. Pumford

Local government; bonds; bonding authority of community colleges; modify.

Amends sec. 144 of 1966 PA 331 (MCL 389.144).

(Reported by Committee on Commerce.)

\_\_\_\_ 21 \_\_\_\_\_

#### **HB** 5376 Rep. Jacobs

Occupations; other; registration of contact lens providers and prescription requirements for contact lenses; require.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding secs. 18609 & 18611.

(Reported by Committee on Health Policy.)

(For House substitute (H-2), see e-Blue Book.)

— 22 ———

# **HB** 5377 Rep. Woronchak

Occupations; other; registration of contact lens providers and certain prescription requirements for contact lenses; require.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding pt. 186.

(Reported by Committee on Health Policy.)

(For House substitute (H-2), see e-Blue Book.)

(For House amendment, see House Journal No. 9, page 127 or e-Blue Book.)

#### THIRD READING

— 23 ——

#### **HB** 5378 Rep. Ehardt

Occupations; other; registration of contact lens providers and certain prescription requirements for contact lenses; re-

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding secs. 18605 & 18607.

(Reported by Committee on Health Policy.)

(For House substitute (H-2), see e-Blue Book.)

(For House amendment, see House Journal No. 9, page 127 or e-Blue Book.)

\_\_\_\_\_ 24 \_\_\_\_

# **HB** 5379 Rep. Hardman

Occupations; optometrists; prescription of contact lenses; require optometrist or ophthalmologist to give to patient under certain circumstances.

Amends secs. 16221 & 16226 of 1978 PA 368 (MCL 333.16221 & 333.16226) & adds sec. 18613.

(Reported by Committee on Health Policy.) (For House substitute (H-1), see e-Blue Book.)

\_\_\_\_ 25 \_\_\_\_\_

### **HB 5496** Rep. Newell

State; planning; Michigan emergency management act; revise powers and duties.

Amends secs. 3, 7, 7a, 8, 9, 10 & 11 of 1976 PA 390 (MCL 30.403 et seq.); adds sec. 21 & repeals sec. 15 of 1976 PA 390 (MCL 30.415).

(Reported by Committee on Commerce.)

(For House substitute (H-2), see e-Blue Book.)

(For House amendment, see House Journal No. 9, page 123 or e-Blue Book.) \_\_\_\_ 26 \_\_\_\_\_\_

# **HB** 5506 Rep. Phillips

Crimes; other; crime of using, delivering, or possessing an imitation explosive; include possession as violation, and require restitution.

Amends sec. 204a of 1931 PA 328 (MCL 750.204a).

(Reported by Committee on Criminal Justice.)

(For House substitute (H-1), see e-Blue Book.)

(For House amendment, see House Journal No. 9,

page 124 or e-Blue Book.)

#### 5507 Rep. Woronchak HB

Crimes; other; penalties for knowingly placing a harmful substance in food or water supply; increase and provide for restitution.

Amends sec. 436 of 1931 PA 328 (MCL 750.436).

(Reported by Committee on Criminal Justice.)

(For House substitute (H-1), see e-Blue Book.)

(For House amendments, see House Journal No. 9, page 124 or e-Blue Book.)

#### HB

5509 Rep. Quarles Crimes: married Crimes; money laundering; terrorism; include in definition of "specified criminal offense".

Amends sec. 411j of 1931 PA 328 (MCL 750.411j).

(Reported by Committee on Criminal Justice.)

(For House amendments, see House Journal Nos. 2 and 9, pages 25 and 124 or e- Blue Book.)

#### THIRD READING

\_\_\_\_ 29 \_\_\_\_\_

#### **HB** 5512 Rep. Jacobs

Criminal procedure; other; compensation to victims and payment of expenses for government response for terrorism-related offenses; provide for.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding

(Reported by Committee on Criminal Justice.)

(For House substitute (H-1), see e-Blue Book.)

(For House amendments, see House Journal No. 9, page 125 or e-Blue Book.)

\_\_\_\_ 30 \_\_\_\_\_

# HB 5513 Rep. LaSata

Criminal procedure; forfeiture; seizure and forfeiture of property used in connection with a terrorism-related offense; provide for.

Amends secs. 4701 & 4702 of 1961 PA 236 (MCL 600.4701 & 600.4702).

(Reported by Committee on Insurance and Financial Services.)

(For House amendments, see House Journal No. 9, page 125 or e-Blue Book.)

\_\_\_\_\_ 31 \_\_\_\_\_

# HB 5349 Rep. Shulman

Civil rights; public records; critical infrastructure; exempt from freedom of information act.

Amends sec. 13 of 1976 PA 442 (MCL 15.243).

(Reported by Committee on House Oversight and Operations.)

(For House substitute (H-4), see e-Blue Book.)

<del>\_\_\_\_ 32 \_\_\_\_\_</del>

#### 4398 Rep. Jelinek HB

School aid; penalties; carryover of unused snow days; al-

Amends sec. 101 of 1979 PA 94 (MCL 388.1701).

(Reported by Committee on Education.)

#### SECOND READING

— 33 ———

\*SB 371 Sen. Schwarz

Income tax; credit; tuition tax credit; eliminate.

Repeals sec. 274 of 1967 PA 281 (MCL 206.274).

(Reported by Committee on Appropriations.)

(For proposed House substitute (H-11), see e-Blue

(For Senate substitute (S-5), see e-Blue Book.)

\_\_\_\_ 34 \_\_\_\_\_

# HB 4157 Rep. Hart

Public employees and officers; faith community liaison;

Creates new act.

(Reported by Committee on Family and Children Services.)

(For proposed House substitute (H-5), see e-Blue Book.)

— 35 ——

#### HB 4328 Rep. Richner

Labor; hours and wages; living wage requirement by local units of government; preempt.

Amends title and sec. 3 of 1964 PA 154 (MCL 408.383).

(Reported by Committee on Employment Relations, Training and Safety.)

(Read a second time; passed for day May 31, 2001.)

#### **HB** 4308 Rep. Birkholz

Use tax; exemptions; vehicles donated by nonprofit organizations to certain individuals; provide for.

Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 4w.

(Reported by Committee on Tax Policy.)

#### HB 4609 Rep. Bernero

Law enforcement; fingerprinting; DNA specimen of all persons convicted of a felony; require.

Amends secs. 2, 3 & 6 of 1990 PA 250 (MCL 28.172 et seq.).

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-1), see e-Blue Book.)

\_\_\_\_\_ 38 \_\_\_\_

# **HB** 4351 Rep. Cameron Brown

Elections; ballots; printed instructions on ballots, voting devices, and placards clarifying assistance of election officials; require.

Amends secs. 560, 666, 706 & 777 of 1954 PA 116 (MCL 168.560 et seq.).

(Reported by Committee on Redistricting and Elections.)

(For proposed House substitute (H-3), see e-Blue Book.)

— 39 ———

# HB 4634 Rep. Richner

Children; adoption; provisions governing father of a child born out of wedlock; revise.

Amends sec. 39, ch. X of 1939 PA 288 (MCL 710.39).

(Reported by Committee on Civil Law and the Judiciary.)

(For proposed House substitute (H-4), see e-Blue Book.)

#### **HB** 4697 Rep. Gilbert

Natural resources; hunting; prohibition on Sunday hunting in St. Clair county; repeal.

Repeals 1939 LA 4.

(Reported by Committee on Conservation and Outdoor Recreation.)

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#### **HB** 4226 Rep. Bradstreet

Civil rights; religious discrimination; certain displays on public property; authorize and regulate.

Creates new act.

(Reported by Committee on House Oversight and Operations.)

(Read a second time; passed for day October 23, 2001.)

#### SECOND READING

# **HB** 4105 Rep. Shulman

Elections; absent voters; absent voter ballot availability; provide for with no reason required.

Amends secs. 758, 759 & 759b of 1954 PA 116 (MCL 168.758 et seq.).

(Reported by Committee on Redistricting and Elections.)

\_\_\_\_ 43 \_\_\_\_\_

# **HB** 4554 Rep. Sheltrown

Elections; absent voters; absent voter ballot; allow voters who registered to vote by mail and who have not subsequently voted in person to utilize if certain form is completed and notarized.

Amends secs. 509t & 761 of 1954 PA 116 (MCL 168.509t & 168.761).

(Reported by Committee on Redistricting and Elections.)

# HB 4642 Rep. Cassis

Elections; absent voters; absent voter ballot; allow voters who registered to vote by mail and who have not subsequently voted in person to utilize if certain form is completed and notarized.

Amends sec. 509t of 1954 PA 116 (MCL 168.509t).

(Reported by Committee on Redistricting and Elections.)

**——** 45 **———** 

#### SB 493 Sen. Bullard

Insurance; other; requirement for commissioner to obtain approval of a circuit court judge before issuing a subpoena in certain cases; eliminate.

Amends sec. 1242 of 1956 PA 218 (MCL 500.1242).

(Reported by Committee on Insurance and Financial Services.)

# SB 496 Sen. Bullard

Insurance; insurers; service of process in certain cases; provide for.

Amends sec. 456 of 1956 PA 218 (MCL 500.456).

(Reported by Committee on Insurance and Financial Services.)

#### **HB** 4150 Rep. Tabor

Natural resources; fishing; aquatic species protection act; codify.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 481 & repeals pts. 411, 451 - 479 & 485 - 491; repeals 1929 PA 22 (MCL 317.241 - 317.245) & repeals 1935 PA 179 (MCL 308.141 - 308.143).

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House substitute (H-4), see e-Blue Book.)

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#### **HB** 4151 Rep. Tabor

Natural resources; fishing; aquatic species protection act; exempt orders from rule making requirements of administrative procedures act.

Amends sec. 7 of 1969 PA 306 (MCL 24.207).

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House substitute (H-2), see e-Blue Book.)

#### **HB** 4737 Rep. Tabor

Natural resources; fishing; consultation of department of agriculture with department of natural resources; provide for under aquaculture development act.

Amends secs. 2 & 3 of 1996 PA 199 (MCL 286.872 & 286.873).

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House substitute (H-2), see e-Blue Book.)

\_\_\_\_ 50 \_\_\_\_\_

# **HB 4821** Rep. Toy

Vehicles; equipment; waiver of fines for certain child car restraint system violations; provide for under certain circumstances.

Amends sec. 907 of 1949 PA 300 (MCL 257.907). (Reported by Committee on Transportation.)

# HB 4822 Rep. Lockwood

Vehicles; equipment; child safety seats for children 80 pounds or less; require.

Amends sec. 710e of 1949 PA 300 (MCL 257.710e).

(Reported by Committee on Transportation.)

(For proposed House substitute (H-1), see e-Blue Book.)

\_\_\_\_ 52 \_\_\_\_\_

# **HB** 4823 Rep. DeRossett

Vehicles; motorcycles; crash helmets; provide exceptions under certain circumstances.

Amends sec. 658 of 1949 PA 300 (MCL 257.658).

(Reported by Committee on Transportation.)

\_\_\_ 53 \_\_\_\_\_

# **HB** 4800 Rep. Kuipers

Education; public school academies; revisions to charter school law with respect to oversight and regulation; provide for.

Amends secs. 501, 502, 503, 504, 504a, 506, 507, 1701a & 1711 of 1976 PA 451 (MCL 380.501 et seq.) & adds secs. 503b, 1320 & 1814.

(Reported by Committee on Education.)

(For proposed House substitute (H-2), see e-Blue Book.)

\_\_\_\_ 54 \_\_\_\_

### HB 4225 Rep. Bradstreet

Veterans; cemeteries; cemetery for veterans; create. Creates new act.

(Reported by Committee on Veterans Affairs.)

(For proposed House substitute (H-4), see e-Blue Book.)

#### SECOND READING

— 55 ——

#### **HB 4232** Rep. Mead

Taxation; severance; distribution formula for severance tax; modify.

Amends 1929 PA 48 (MCL 205.301 - 205.317) by adding sec. 14a.

(Reported by Committee on Conservation and Outdoor Recreation.)

\_\_\_\_ 56 \_\_\_\_\_

### **HB** 4233 Rep. Bradstreet

Taxation; severance; distribution of oil and gas severance tax revenue; revise.

Amends sec. 14 of 1929 PA 48 (MCL 205.314).

(Reported by Committee on Conservation and Outdoor Recreation.)

\_\_\_\_ 57 \_\_\_\_\_\_

# HB 4726 Rep. Jamnick

Civil procedure; costs and fees; certain statutory attorney fees; revise.

Amends sec. 5759 of 1961 PA 236 (MCL 600.5759).

(Reported by Committee on Civil Law and the Judiciary.)

(For proposed House amendment, see House Journal No. 57 of 2001, page 1162 or e- Blue Book.)

- 58 **--**-

# **HB** 4818 Rep. Mortimer

State; historic sites; Vietnam memorial monument; allow monument fund to be used for maintenance of monument and memorial park.

Amends title & secs. 3 & 7 of 1988 PA 234 (MCL 35.1053 & 35.1057).

(Reported by Committee on Appropriations.)

(For proposed House substitute (H-1), see e-Blue Book.)

— 59 ———

#### HB 4288 Rep. Jamnick

Animals; other; euthanasia of animal for rabies testing; allow local health officer to order before expiration of quarantine period.

Amends secs. 5101 & 5111 of 1978 PA 368 (MCL 333.5101 & 333.5111).

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-1), see e-Blue Book.)

<del>\_\_\_\_</del> 60 <del>\_\_\_\_\_</del>

# **HB** 5003 Rep. Birkholz

Public utilities; electric utilities; alternative suppliers; require certain notices.

Amends sec. 10q of 1939 PA 3 (MCL 460.10q).

(Reported by Committee on Energy and Technology.) (For proposed House substitute (H-2), see e-Blue Book.)

<del>\_\_\_\_</del> 61 <del>\_\_\_\_</del>

# SB 346 Sen. Van Regenmorter

Torts; liability; definition of wrongful or negligent act against a pregnant individual; expand to include the death of the embryo or fetus.

Amends sec. 2922a of 1961 PA 236 (MCL 600.2922a).

(Reported by Committee on Civil Law and the Judiciary.)

(For Senate substitute (S-1), see e-Blue Book.)

62

#### SB 592 Sen. Bullard

Insurance; third party administrators; requirement that third party administrators have administrative service manager; eliminate.

Amends secs. 14 & 18 of 1984 PA 218 (MCL 550.914 & 550.918) & repeals secs. 16 & 62 of 1984 PA 218 (MCL 550.916 & 550.962).

(Reported by Committee on Insurance and Financial Services.)

<del>\_\_\_\_</del> 63 <del>\_\_\_\_</del>

#### SB 604 Sen. Garcia

Insurance; property and casualty; mandatory exams of rating organizations; eliminate.

Amends secs. 2468 & 2662 of 1956 PA 218 (MCL 500.2468 & 500.2662).

(Reported by Committee on Insurance and Financial Services.)

# SB 605 Sen. Goschka

Insurance; no-fault; reference to public service commission certification; revise to the department of transportation

Amends sec. 3114 of 1956 PA 218 (MCL 500.3114).

(Reported by Committee on Insurance and Financial Services.)

<del>\_\_\_\_</del> 65 <del>\_\_\_\_</del>

#### **HB** 5136 Rep. Meyer

Agriculture; plants; destruction of certain crops grown for certain purposes; provide civil damages.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 2972.

(Reported by Committee on Agriculture and Resource Management.)

(For proposed House substitute (H-1), see e-Blue Book.)

**468** Sen. Cherry

Property; conveyances; certain state owned property in Genesee county; provide for conveyance.

(Reported by Committee on Regulatory Reform.)

<del>\_\_\_\_ 67 \_\_\_\_\_</del>

# HB 5127 Rep. Stewart

Highways; name; portion of I-94 in Battle Creek; designate as the "94th Combat Infantry Division Memorial Highway".

Creates new act.

(Reported by Committee on Transportation.)

(For proposed House substitute (H-1), see e-Blue Book.)

68 —

# HB 5242 Rep. Vander Veen

State agencies (existing); family independence agency; pilot foster and adoptive parent resource centers; mandate family independence agency to establish.

Amends sec. 8 of 1994 PA 203 (MCL 722.958).

(Reported by Committee on Family and Children Services.)

(For proposed House substitute (H-1), see e-Blue Book.)

#### SECOND READING

— 69 ———

# **HB** 4990 Rep. Kuipers

Education; special; membership on special education advisory board; revise.

Amends sec. 9a of 1964 PA 287 (MCL 388.1009a).

(Reported by Committee on Education.)

# **HB** 4991 Rep. Kuipers

Education; school districts; student use of cellular phones and pagers in school; provide authority to local school boards to regulate or allow.

Amends sec. 1303 of 1976 PA 451 (MCL 380.1303).

(Reported by Committee on Education.)

\_\_\_\_\_ 71 <del>\_\_\_\_\_</del>

# **HB** 4329 Rep. Gosselin

Education; other; reference to prevailing wage act; eliminate.

Amends secs. 503 & 1311e of 1976 PA 451 (MCL 380.503 & 380.1311e).

(Reported by Committee on Employment Relations, Training and Safety.)

<del>\_\_\_ 72 \_\_\_\_\_</del>

# **HB** 4383 Rep. Gosselin

Labor; hours and wages; prevailing wage on public school, bridge, highway, and road projects; eliminate.

Amends sec. 1 of 1965 PA 166 (MCL 408.551).

(Reported by Committee on Employment Relations, Training and Safety.)

(For proposed House substitute (H-1), see e-Blue Book.)

\_\_\_\_\_ 73 \_\_\_\_

# **HB** 5188 Rep. Gosselin

Education; other; certain types of discrimination in school construction contracts; prohibit.

Amends sec. 1267 of 1976 PA 451 (MCL 380.1267).

(Reported by Committee on Employment Relations, Training and Safety.)

\_\_\_\_\_ 74 \_\_\_\_\_\_

# **HB** 4537 Rep. DeWeese

Health facilities; patients; governor's commission on patient safety; create.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 20188.

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-3), see e-Blue Book.)

<del>------ 75 -------</del>

# **HB** 4667 Rep. Cassis

Income tax; credit; contributions to a historical museum; provide for credit.

Amends sec. 260 of 1967 PA 281 (MCL 206.260).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see e-Blue Book.)

— 76 ——

#### **HB** 4826 Rep. Shackleton

Law enforcement; peace officers; survivor benefits for certain law enforcement officers killed in the line of duty; provide to surviving spouse or dependents.

Creates new act.

(Reported by Committee on Appropriations.)

(For proposed House substitute (H-6), see e-Blue Book.)

#### **HB** 5400 Rep. Julian

Insurance; life; ability to provide excess loss insurance; provide for.

Amends sec. 5208 of 1956 PA 218 (MCL 500.5208) & adds sec. 407a.

(Reported by Committee on Insurance and Financial Services.)

(For proposed House substitute (H-2), see e-Blue Book.)

— 78 ——

# HB 5478 Rep. Cameron Brown

Natural resources; hunting; authority to designate species as game; transfer to natural resources commission.

Amends secs. 40103 & 40113a of 1994 PA 451 (MCL 324.40103 & 324.40113a) & repeals sec. 40110 of 1994 PA 451 (MCL 324.40110).

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House substitute (H-3), see e-Blue Book.)

### **HB** 4338 Rep. Allen

Vehicles; off-road; ORV safety education course and instructors; provide for certain requirements.

Amends secs. 81129 & 81130 of 1994 PA 451 (MCL 324.81129 & 324.81130).

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House substitute (H-1), see e-Blue Book.)

— 80 ——

# HB 5316 Rep. Jansen

Human services; other; contracting with faith-based organizations; allow.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 14h.

(Reported by Committee on Family and Children Services.)

(For proposed House substitute (H-3), see e-Blue Book.)

# **HB** 5398 Rep. Ruth Johnson

Criminal procedure; defenses; defense of the voluntary consumption or ingestion of alcohol or controlled substance in all criminal cases; bar.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 37 to ch. VIII.

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-3), see e-Blue Book.)

#### SECOND READING

— 82 ——

#### **SB** 180 Sen. Schuette

Crimes; prostitution; qualifying underlying offenses to establish second, third, and subsequent offense violations; amend.

Amends sec. 451 of 1931 PA 328 (MCL 750.451).

(Reported by Committee on Criminal Justice.)

(For Senate substitute (S-1), see e-Blue Book.)

<del>-----</del> 83 -----

#### SB 3 Sen. Johnson

Environmental protection; solid waste; procedure for dissolution of certain refuse collection authority; provide for.

Amends 1947 PA 179 (MCL 123.301 - 123.310) by adding sec. 11.

(Reported by Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-2), see e-Blue Book.)

(For Senate substitute (S-7), see e-Blue Book.)

# SB 718 Sen. Bullard

Worker's compensation; insurers; certain assessments; revise.

Amends sec. 551 of 1969 PA 317 (MCL 418.551).

(Reported by Committee on Insurance and Financial Services.)

(For proposed House substitute (H-1), see e-Blue Book.)

(For Senate substitute (S-1), see e-Blue Book.)

\_\_\_\_\_ 85 \_\_\_\_

#### **HB 5453** Rep. Vear

Income tax; other; threshold for estimated tax payments; revise.

Amends sec. 301 of 1967 PA 281 (MCL 206.301).

(Reported by Committee on Tax Policy.)

# SB 797 Sen. Garcia

Veterans; trust fund; investment authority; expand. Amends sec. 5 of 1946 (Ex Sess) PA 9 (MCL 35.605).

(Reported by Committee on Veterans Affairs.)

— 87 ——

# HB 5129 Rep. Julian

Records; birth; adoptee's birth certificate; authorize inclusion of names of both birth and adoptive parents under certain circumstances.

Amends secs. 67 & 68, ch. X of 1939 PA 288 (MCL 710.67 & 710.68).

(Reported by Committee on Family and Children Services.)

# HB 5298 Rep. Koetje

Criminal procedure; mental capacity; "guilty but mentally ill" provisions; revise to conform with insanity statute.

Amends sec. 36, ch. VIII of 1927 PA 175 (MCL 768.36).

(Reported by Committee on Criminal Justice.)

(For proposed House amendment, see House Journal No. 2, page 24 or e-Blue Book.)

#### **SB** 639 Sen. Bullard

Insurance; insurers; priority of claims distribution; modify.

Amends sec. 8142 of 1956 PA 218 (MCL 500.8142).

(Reported by Committee on Insurance and Financial Services.)

(For Senate substitute (S-2), see e-Blue Book.)

<del>------</del> 90 --

### **HB** 5480 Rep. Woronchak

Food; other; protection of halal food; provide penalties for consumer fraud.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 297f.

(Reported by Committee on Agriculture and Resource **Management.**)

(For proposed House substitute (H-2), see e-Blue Book.)

<del>-----</del> 91 <del>------</del>

# HB 4237 Rep. Rocca

Education; teachers; certification in cardiopulmonary resuscitation; require for new teacher certification.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1531d.

# (Reported by Committee on Education.)

(For proposed House substitute (H-1), see e-Blue Book.)

# HB 5049 Rep. Scranton

Education; examinations; disclosure of MEAP or other state test scores prior to notification or response by a school district; prohibit.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1279a.

(Reported by Committee on Education.)

(For proposed House substitute (H-1), see e-Blue Book.)

— 93 ———

# **HB** 4827 Rep. Shackleton

Retirement; fire and police; death benefits for spouse of slain law enforcement officer; prohibit suspension of benefits for spouse who remarries.

Amends secs. 6, 6a & 6b of 1937 PA 345 (MCL 38.556 et seq.).

(Reported by Committee on Senior Health, Security and Retirement.)

(For proposed House substitute (H-1), see e-Blue Book.)

— 94 —

# HB 4599 Rep. Minore

Trade; hazardous substances; sale of mercury thermometers in the state of Michigan; prohibit.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 172.

# (Reported by Committee on Commerce.)

(For proposed House substitute (H-1), see e-Blue Book.)

#### SECOND READING

- 95 -----

# **HB** 4091 Rep. Switalski

Courts; funding; distribution of funds from the drug case information management fund to municipal courts; allow.

Amends sec. 323d of 1949 PA 300 (MCL 257.323d).

(Reported by Committee on Civil Law and the Judiciary.)

(For proposed House amendment, see House Journal No. 6, page 86 or e-Blue Book.)

<del>-----</del> 96 <del>-------</del>

# **HB** 5454 Rep. Bishop

Torts; liability; governmental liability for negligence; add volunteers to certain provisions.

Amends title & secs. 8 & 9 of 1964 PA 170 (MCL 691.1408 & 691.1409).

(Reported by Committee on Civil Law and the Judiciary.)

<del>\_\_\_\_ 97 \_\_\_\_\_</del>

#### HB 4401 Rep. Schauer

Law enforcement; local police; authority to arrest outside jurisdiction; expand and clarify.

Amends sec. 2a, ch. IV of 1927 PA 175 (MCL 764.2a).

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-1), see e-Blue Book.)

— 98 ———

#### HB 4781 Rep. Sanborn

Crimes; other; penalties for impersonating a police officer; increase.

Amends sec. 215 of 1931 PA 328 (MCL 750.215).

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-3), see e-Blue Book.)

— 99 —

#### HB 4782 Rep. Sanborn

Criminal procedure; sentencing guidelines; sentencing guidelines for impersonating a police officer; enact.

Amends sec. 16l, ch. XVII of 1927 PA 175 (MCL

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-3), see e-Blue Book.)

#### HB **5399** Rep. Woronchak

Law enforcement; reports; providing false reports to certain individuals responsible for taking reports of crimes; prohibit.

Amends sec. 411a of 1931 PA 328 (MCL 750.411a).

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-2), see e-Blue Book.) 

#### 5440 Rep. Faunce HB

Crimes; assaultive; assault causing the bodily injury, serious injury, or death of a peace officer; prohibit and establish penalties.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 81d.

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-2), see e-Blue Book.)

\_\_\_\_\_ 102 \_\_\_\_\_

#### HB 5441 Rep. Julian

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of assaulting, seriously injuring, causing the bodily injury of, or causing the death of a peace officer; provide for.

Amends sec. 16d, ch. XVII of 1927 PA 175 (MCL 777.16d).

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-1), see e-Blue Book.)

103 —

# HB 5442 Rep. Kooiman

Crimes; assaultive; penalties for assaulting, beating, or wounding an officer other than a peace officer; establish.

Amends secs. 479 & 479a of 1931 PA 328 (MCL 750.479 & 750.479a).

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-2), see e-Blue Book.)

\_\_\_\_\_ 104 \_\_\_\_\_\_

#### HB 5443 Rep. Basham

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of assaulting, beating, or wounding officers other than peace officers; provide for.

Amends sec. 16x, ch. XVII of 1927 PA 175 (MCL 777.16x).

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-2), see e-Blue Book.)

\_\_\_\_\_ 105 \_\_\_\_\_

#### **HB** 5444 Rep. Howell

Crimes; other; providing false or misleading information to peace officer during investigation; establish as a crime.

Amends sec. 483a of 1931 PA 328 (MCL 750.483a).

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-2), see e-Blue Book.)

\_\_\_\_\_ 106 \_\_\_\_\_

# HB 5445 Rep. Pappageorge

Crimes; other; influencing a person to provide false or misleading testimony; prohibit and provide penalties.

Amends sec. 122 of 1931 PA 328 (MCL 750.122).

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-3), see e-Blue Book.)

<del>------</del> 107 ------

#### **HB 5446** Rep. Hale

Crimes; other; juror intimidation; provide technical amendment.

Amends sec. 120a of 1931 PA 328 (MCL 750.120a).

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-1), see e-Blue Book.)

#### SECOND READING

\_\_\_\_ 108 \_\_\_\_\_

# HB 5484 Rep. Tabor

Human services; children's services; foster care youth networks; establish.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 18e.

(Reported by Committee on Family and Children Services.)

(For proposed House substitute (H-1), see e-Blue Book.)

— 109 ————

# HB 5479 Rep. Adamini

Highways; name; renaming a certain portion of M-28; designate as "Veterans Memorial Highway".

Amends 2001 PA 142 (MCL 250.1001 - 250.1100) by adding sec. 79.

(Reported by Committee on Transportation.)

<del>\_\_\_\_\_</del> 110 <del>\_\_\_\_\_\_</del>

# HB 5497 Rep. Hager

Traffic control; driver license; issuance of a driver license to certain persons not lawfully in the United States; prohibit

Amends secs. 51a, 209, 303 & 314 of 1949 PA 300 (MCL 257.51a et seq.).

(Reported by Committee on Transportation.)

(For proposed House substitute (H-1), see e-Blue Book.)

# **HB** 5525 Rep. Van Woerkom

Agriculture; weights and measures; voluntary registration of certain persons; provide for and update standards.

Amends secs. 1, 2, 8, 10a, 10b & 31 of 1964 PA 283 (MCL 290.601 et seq.); adds secs. 9a, 9b, 28c & 31a & repeals 1972 PA 315 (MCL 289.271 - 289.276).

(Reported by Committee on Agriculture and Resource Management.)

(For proposed House substitute (H-1), see e-Blue Book.)

112

# **HB** 5328 Rep. Bishop

Property; land contracts; definition of "real estate mort-gage"; clarify.

Amends sec. 6 of 1879 PA 237 (MCL 565.356).

(Reported by Committee on Commerce.)

\_\_\_\_ 113 \_\_\_\_\_

# **HB** 5486 Rep. Bishop

Housing; condominium; multiple amendments of the condominium act; provide for.

Amends secs. 58, 67, 69, 90, 90a, 108, 112, 135, 173 & 176 of 1978 PA 59 (MCL 559.158 et seq.).

(Reported by Committee on Commerce.)

— 114 ———

#### SB 794 Sen. Schwarz

Records; birth; live birth records over 100 years old; allow any person to obtain a certified copy from the state registrar or a local registrar.

Amends sec. 2882 of 1978 PA 368 (MCL 333.2882).

(Reported by Committee on Health Policy.)

# — 115 ——

#### **HB** 5108 Rep. Vander Roest

Retirement; generally; public pension protection act; enact.

Creates new act.

#### (Reported by Committee on Appropriations.)

# **HB** 5109 Rep. Voorhees

Retirement; state employees; public pension protection; provide for.

Amends secs. 31, 40 & 69 of 1943 PA 240 (MCL 38.31 et seq.).

(Reported by Committee on Appropriations.)

# HB 5110 Rep. Caul

Retirement; public school employees; public pension protection; provide for.

Amends secs. 46 & 85 of 1980 PA 300 (MCL 38.1346 & 38.1385).

(Reported by Committee on Appropriations.)

- 118 -----

# **HB** 5111 Rep. Howell

Retirement; fire and police; public pension protection; provide for.

Amends secs. 6 & 9 of 1937 PA 345 (MCL 38.556 & 38.559).

(Reported by Committee on Appropriations.)

\_\_\_\_\_ 119 \_\_\_\_\_

# **HB** 5112 Rep. Lipsey

Retirement; judges; public pension protection; provide for.

Amends secs. 308, 506 & 720 of 1992 PA 234 (MCL 38.2308 et seq.).

(Reported by Committee on Appropriations.)

\_\_\_\_\_ 120 \_\_\_\_\_

# HB 5113 Rep. Cameron Brown

Retirement; state police; public pension protection; provide for.

Amends sec. 43 of 1986 PA 182 (MCL 38.1643).

(Reported by Committee on Appropriations.)

— 121 ———

#### **HB** 5114 Rep. Thomas

Retirement; legislative; public pension protection; provide for.

Amends secs. 57 & 80 of 1957 PA 261 (MCL 38.1057 & 38.1080).

(Reported by Committee on Appropriations.)

<del>- 122 ------</del>

# HB 5151 Rep. Richner

Civil procedure; civil actions; limitation on appeal bond; establish.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 2607.

(Reported by Committee on Civil Law and the Judiciary.)

(For proposed House substitute (H-3), see e-Blue Book.)

#### SECOND READING

# († Not eligible for passage until February 11.)

#### HB 5585 Rep. Richner

Civil procedure; civil actions; judgment of interest applicable to a written instrument evidencing indebtedness that bears an interest rate; revise to make application of recent change prospective and provide mechanism for fixing rate when instrument bears a variable interest rate.

Amends sec. 6013 of 1961 PA 236 (MCL 600.6013).

(Reported by Committee on Civil Law and the Judiciary.)

(For proposed House substitute (H-1), see e-Blue Book.)

\_\_\_\_ 124 \_\_\_\_\_\_

#### **SB** 678 Sen. Bullard

Use tax; collections; motor vehicles held for resale; define price tax base after 1,000 miles.

Amends sec. 3 of 1937 PA 94 (MCL 205.93).

(Reported by Committee on Tax Policy.)

(For Senate substitute (S-1), see e-Blue Book.)

— 125 ——

# **HB** 5021 Rep. Allen

Traffic control; speed restrictions; penalties for violation of speed limit in construction zone; increase number of points added to driving record.

Amends sec. 320a of 1949 PA 300 (MCL 257.320a).

(Reported by Committee on Transportation.)

#### STANDING COMMITTEE MEETINGS

**Agriculture and Resource Management -** Thursday, February 7, 8:00 a.m., Room 308, House Office Building

**Appropriations** (to meet jointly with the Senate Committee on Appropriations) - Thursday, February 7, 11:00 a.m., Room 351, Capitol Building

Subcommittee on Consumer and Industry Services/Department of Career Development/Michigan Strategic Fund Agency/History, Arts and Libraries - Tuesday, February 12, 11:00 a.m. Room 351, Capitol Building

**Subcommittee on Family Independence Agency -** Monday, February 11, 1:00 p.m. and Wednesday, February 13, 8:30 a.m., Room 351, Capitol Building

**Subcommittee on General Government -** Wednesday, February 13, 10:30 a.m., Room 521, House Office Building

**Subcommittee on Judiciary -** Tuesday, February 12, 8:30 a.m., Room 351, Capitol Building

**Subcommittee on Natural Resources and Environmental Quality -** Tuesday, February 12, 10:00 a.m., Room 424, Capitol Building and Thursday, February 14, 8:00 a.m., Room 521, House Office Building

**Subcommittee on Tourism and Travel -** Thursday, February 7, 10:30 a.m., Room 519, House Office Building

#### STANDING COMMITTEE MEETINGS

**Conservation and Outdoor Recreation -** Thursday, February 7, 10:00 a.m., Room 308, House Office Building

**Education -** Thursday, February 7, 9:00 a.m., Room 307, House Office Building

# **Health Policy -**

Subcommittee on Strategies to Reduce the Overall Cost of Health Care - Friday, February 8, 10:00 a.m., Room 242, Elliot Hall, Oakland University, Rochester, Michigan, Monday, February 11, 10:00 a.m., Holland Community Hospital, Lakeshore Medical Campus, 3235 N. Wellness Dr., Holland, Michigan and Tuesday, February 12, 9:00 a.m., Room 521, House Office Building

#### STANDING COMMITTEE MEETINGS

**House Oversight and Operations -** Wednesday, February 13, 10:30 a.m., Room 327, House Office Building

**Redistricting and Elections -** Thursday, February 7, 10:30 a.m., Room 327, House Office Building

#### STATUTORY COMMITTEE MEETING

**House Fiscal Agency Governing Board -** Wednesday, March 6, 2:30 p.m., or after committees are given leave by the House to meet, whichever time is later, Room 351, Capitol Building

		BILLS IN CONFERENCE Conferees		Report Agreed to	
Bill No.	Brief Title	House	Senate	House	Senate
HB 4042	Consumer protection; home	Bradstreet	Emmons		
	solicitation	Faunce	Steil		
		Rivet	Cherry		
HB 4632	Consumer protection; home	Bradstreet	Emmons		
	solicitation	Faunce	Steil		
		Rivet	Cherry		
SJR D	State officers compensation	Patterson	McCotter		
	commission	Bisbee	Sikkema		
		Jacobs	Leland		